

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x

THOMAS P. KOESTLER,

1:16-cv-07175-DLC

Petitioner,

-against-

**ORDER**

MARTIN SHKRELI,

Respondent.

-----x

DENISE L. COTE, District Judge

The Court having issued the *Order for Turnover and Appointment of Receiver* dated August 16, 2021 (ECF #120, the “Receivership Order,”)<sup>1</sup> in connection with a Judgment (ECF #22) pursuant to which Derek C. Abbott was appointed as Receiver to, among other things, collect certain Phoenixus stock owned by the Judgment Debtor (the “Phoenixus Stock”) and to sell that stock so as to satisfy the Judgment to the Judgment Creditor; and until the Judgment Debtor has satisfied his obligations to the Judgment Creditor, collect any and all assets or property of the Judgment Debtor other than the Phoenixus Stock which are subject to a certain Forfeiture Order, including those assets actually held by the Government and/or the U.S. Attorney in accordance with the Forfeiture Order as well as any others, with said assets to be held and not sold without further order of this Court; and

The Receiver having made application to the Court for a further order authorizing him to consummate a sale of the Phoenixus Stock to Akkadian Partners SA pursuant to a Stock Purchase Agreement;

---

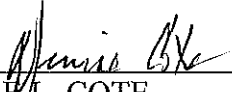
<sup>1</sup> Capitalized terms not defined herein are as defined in the Receivership Order.

**IT IS ORDERED**, that the Receiver's application is granted as follows:

1. The Receiver is authorized to enter into the Stock Purchase Agreement with Akkadian Partners SA, in the form submitted to the Court, or in a form to be negotiated by the Receiver in accordance with his expertise in and knowledge of such transactions and on terms commercially reasonable for such an agreement.
2. The Receiver is further authorized to vote the Phoenixus Stock as necessary, appropriate or advisable to meet the conditions to closing of the Stock Purchase Agreement.
3. The Receiver shall seek further order of the Court prior to distribution of the proceeds from the Phoenixus Stock.

**SO ORDERED.**

Dated: July 25, 2023  
New York, New York

  
\_\_\_\_\_  
DENISE L. COTE  
United States District Judge